

CRM-M-4446-2023 (O&M)

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(105)

CRM-M-4446-2023 (O&M)
Date of Decision:-30.01.2023.

Munish Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Ms. Sunita Singh Chauhan, Advocate for the petitioner.

ALOK JAIN, J. (Oral)

The present petition is for grant of anticipatory bail to the petitioner in FIR No.0128 dated 14.09.2022 under Sections 406, 498-A of IPC read with Section 4 of Dowry Prohibition Act, 1961, registered at Police Station City Fazilka, District Fazilka, Punjab.

The petitioner is the husband of the complainant. It has been argued by counsel for the petitioner that the list of dowry articles preferred in the FIR are not supported by any bills or vouchers of proof of expenditure incurred for the same. She further submits that in fact the complainant does not wish to reside in the parental house of the petitioner, which is the main cause of dispute.

After hearing counsel for the petitioner and going through the FIR, I do not find that petitioner is entitled to concession of anticipatory bail for the reason that there are specific allegations against him and the

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other family members qua harassment, *qua* bringing less dowry.

Without going into the merits of the case and fact that the investigation is at initial stage, the petitioner is not entitled to anticipatory bail at this stage. Moreso, there is a specific allegation that the complainant was forced to stand outside the house to harass her mentally at the time when she used to come back from the job. There is no explanation for such act and conduct of the petitioner. It is the duty of the husband to take care and comfort the wife in the matrimonial house, which is not apparent in the present case. In fact the petitioner has also filed a petition for divorce.

In light of the above, the present petition is dismissed.

Pending miscellaneous application also stands disposed of.

(ALOK JAIN)
JUDGE

January 30, 2023.

Sandeep

Whether speaking/reasoned:- Yes/No

Whether Reportable:- Yes/No